

S-4-2009

**Tousley Subdivision - Amended
3244 South 3600 West
RM Zone
1.3 Acres**

BACKGROUND

Mr. Randy Tousley, is requesting an amendment to the Tousley Subdivision. The Tousley Subdivision was recorded with the Salt Lake County Recorder's Office in November 2008. Lots 1, 2 and 4 each contain a single building comprised of four units each. The Tousley's are currently constructing a new building on lot 3 which is comprised of six units. The new building was originally planned to be rented. Mr. Tousley would like to establish this building as a town home in order to market units for home ownership. In order to accomplish this, the subdivision will need to be amended to create individual units.

STAFF/AGENCY CONCERNS:

Staff and agency concerns addressed during the original subdivision are still in place.

ISSUES:

- § The proposed subdivision will amend the original plat by creating town home units for the new building presently under construction. Town home units will be created for the new building only, while the existing buildings will continue to be apartment units for rent.
- § As part of the subdivision amendment, areas denoting common, limited common and private spaces will be introduced. These areas are for the protection of home buyers as well as those who presently live in this development.
- § As part of the amended subdivision, the applicant will be required to provide a declaration and conditions covenants and restrictions. Staff has informed the applicant about this document and required information. The applicant will need to have this completed prior to plat recordation.

- § As part of this application, Mr. Tousley is also proposing to gate the community. After evaluating the site plan, sufficient area exists for the gate to be installed. Staff recommends that the gate be installed at least 25 feet west of the existing right-of-way. This will provide an area for vehicles to stage while waiting for the gate to open. In addition, a center median with a card reader will need to be installed to satisfy the Fire Department. Mr. Tousley will be responsible to coordinate this prior to installation.
- § Staff anticipates that additional fencing will need to be installed across the front of the project in order to make the entry gate worthwhile. Any such fencing will need to meet the height requirements for residential zones.

STAFF ALTERNATIVE:

1. Approval of the plat amendment subject to a resolution of staff and agency concerns.
2. Continuation to address any concerns raised during the Planning Commission hearing.

Applicant:

Randy Tousley
3244 S. 3600 W.
WVC, UT

Discussion: Steve Lehman presented the application. Phil Conder clarified that approving this amendment doesn't exclude the rental possibility, it just broadens ownership options for the applicant. Randy Tousley expressed his gratitude for the Planning Commission and explained that this is a learning process for him. He stated that having an ownership option is the best financial prospect for the future. Mr. Tousley added that the HOA will protect the frontage road and any required maintenance. Phil Conder commended Mr. Tousley on a doing a good job with the area.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Conder moved for approval of the plat amendment subject to the resolution of staff and agency concerns as well as requiring that if a gated community is decided, it must return to the Planning Commission.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous -S-4-2009– Approved